IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

Bail Appl..No. 6754 of 2007()

CMP.2918/2007 of J.M.F.C., MANNARKAD
CRIME NO.128/07 OF AGALI POLICE STATION

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: PETITIONERS/ACCUSED

1. JOSE, S/O.GABRIEL, AGED 27,
MUDOOR HOUSE, MELEKANDIYOOR, JELLIPARA,
AGALI.

2. KUNHUMON, S/O.GABRIEL,
AGED 27, MUDOOR HOUSE, MELEKANDIYOOR,
JELLIPARA, AGALI.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM REPRESENTING C.I. OF POLICE,
AGALI POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6754 of 2007

Dated this the 6th day of November, 2007

ORDER

Application for regular bail. Petitioners are accused 1 and 2. Altogether there are 3 accused persons. All the 3 face allegations under the Kerala Abkari Act. The petitioners were allegedly engaged in the illicit manufacture of arrack. 500 litres of wash and implements for distillation were allegedly found in their possession on 13.10.2007. They were arrested on that day. They continue in custody from that date. The 3rd accused has been released on bail as per order dated 5.11.07 in B.A.No.6718 of 2007.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioners herein can also be granted bail on identical terms and conditions.

3. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall not be released from custody on the strength of this order prior to 17.11.2007. The investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioners shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-